

1937 33rd St.  
San Diego, California  
Monday, Aug. 11, 1975

Assemblyman Larry Kapiloff  
424 Pennsylvania Avenue  
San Diego, California 92103

Dear Larry,

On May 18, 1975 about 1:00 A.M. I was arrested in a public rest room in Pacific Beach and charged with a felony - 288(a) (oral copulation). If I should be convicted of the 288(a) or even cop to a 647(a) (solicitation for a lewd act) I would have to register as a sex offender. I have no intention of making any deals of copping to a misdemeanor charge as I am not guilty of either offense. I did not so much as touch another person nor was I touched by anyone. And I have taken a polygraph test which indicated that I am telling the truth. So have several other men who were arrested under similar circumstances by the same officer over a period of time. Apparently our major crime was being present in an area where a homophobic Officer Engelter was conducting nightly raids.

In the misdemeanor cases the City Attorneys office has dropped charges where the defendants had passed polygraphs. The District Attorney's office which is handling the felonys refuses to give any credence to the 6 polygraphs that we have indicating the Officer Engelter is not telling the truth. They are pushing, it seems, with a vengeance for conviction on all charges, knowing, of course, that our polygraphs can not be used in court.

My Attorney, Rick Bourgault, feels that they are refusing to look at each case on its individual merit and practicing a rather lopsided system of "justice". As far as my individual case goes I am not too worried because I think I have a good chance of winning even without a polygraph. And even if I was found guilty it would not hurt me. I have for a long time been aware of the bullshit that goes on in our courts and the inequities that exist concerning minorities. So I do not look to the courts for a positive affirmation or recognition of my lifestyle - as it is, or as they suppose it to be. No matter what labels they put on me I will continue to function as a respectable, productive and loving citizen.

Others are not so lucky. A guilty verdict may cost them their livelihood, family, and in some cases, great emotional stress. Some of the people involved are teachers, who have a great deal to offer their professions, and who will lose their credentials if the D.A.'s office pushes for trial.

My Attorney feels that the D.A.'s present way of handling these cases is vindictive, punitive, and based on personal prejudice. He also feels that some political pressure or some special interest from someone like you would be most helpful in getting a more equitable handling of such cases.



That's why I'm writing to you. I'd like you to contact Rick Bourgault at his San Diego office (714) 236-1151, or his home (714) 462-2556 to let him explain some of the issues involved and the games being played and how you might help.

I hope you will be able to treat this matter with some urgency as my trial date is set for September 4. I'd have contacted you sooner but I was unexpectedly hospitalized for a tumor on my right testicle. Surgery went well and my doctors expect a 96% chance of a complete cure with radiation therapy. All lab results are not in yet but the tumor seems to have been confined to the one testicle that they removed. I expect to be back at work in about a month.

Please let me or my Attorney hear from you soon. My residence phone is 239-9924.

Yours in struggle

Robert H. Jessop